

REMARKS

Applicants request that the Examiner disregard the amendment filed on July 21, 2006 and only consider the amendments and remarks in the present amendment. Applicants also request non- entry of the amendment filed on July 21, 2006.

Claims 1-13 are pending in this application. Claims 1-4, 10-11 and 13 have been amended and no claims have been cancelled or added. Claims 1 and 11 are the independent claims. No new matter is introduced.

Claim Rejections Under 35 U.S.C. § 102

Cooke

Claims 1, 4-6 and 8-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Cooke et al. (U.S. Patent No. 4,541,979; hereinafter "Cooke") for the reasons noted at page 2-3 of the Office Action.

Applicants respectfully submit that independent claim 1 recites introducing a compressed gas in a supercritical phase or a liquid or vapor phase approaching the supercritical phase as an annealing medium into the chamber. Further, independent claim 11 recites annealing the polymeric optical element in a compressed gas, wherein the compressed gas is in a supercritical phase or a liquid or vapor phase approaching the supercritical phase.

In rejecting independent claims 1 and 11, the Examiner cites column 2, lines 42-68 of Cooke. However, Applicants can find no reference to a "compressed gas". Rather, Cooke discloses annealing the drawn-down tube with the **hot air or hot gas** in an electrically heated oven. A compressed gas is under a relatively high **pressure** while a hot gas is under a relatively

high temperature. In addition, there is no mention in Cooke as to whether the gas is in an ambient, compressed or vacuum state. Therefore, Applicants respectfully submit that hot air or hot gas is not the same as compressed gas.

However, in order to expedite prosecution, Applicants have amended independent claims 1 and 11 to define a compressed gas as a gas in a supercritical phase or a liquid or vapor phase approaching the supercritical phase. Support for this amendment is found in paragraphs [0019] and [0020]. Hot gas, as disclosed in Cooke, is not the same as a compressed gas, wherein the compressed gas is in a supercritical phase or a liquid or vapor phase approaching the supercritical phase, as disclosed in independent claims 1 and 11.

Accordingly, Applicants respectfully submit that Cooke is deficient and independent claims 1 and 11 are allowable, for at least this reason. Applicants respectfully submit that dependent claims 4-6 and 8-10 are allowable by virtue of their dependency on allowable independent claim 1, for at least the reasons set forth above. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Soane

Claims 1-3 and 5-12 are further rejected under 35 U.S.C. § 102(b) as being anticipated by Soane et al. (U.S. Patent No. 5,026,147; hereinafter "Soane") for the reasons noted at pages 3-4 of the Office Action.

Applicants have amended independent claims 1 and 11 to recite "a method for post-processing of an amorphous transparent polymeric optical element". Support for this amendment is found in paragraph [0016]. The amorphous polymeric optical element is annealed **after** the external shape of an amorphous polymeric element is defined in order to improve its

mechanical and optical properties. In contrast, Soane et al. discloses annealing **during** the process of preparing articles exhibiting non-linear optical properties. See column 7, lines 28-45. Accordingly, Applicants respectfully submit that independent claims 1 and 11 are patentable over Soane.

Applicants respectfully submit that dependent claims 2-3, 5-10, and 12 are allowable by virtue of their dependency on allowable independent claims 1 or 11, for at least the reasons set forth above. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Cooke

Claims 2-3, 7 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cooke for the reasons noted at page 5 of the Office Action.

The Applicants incorporate the discussion provided above with respect to the teachings of Cooke and maintain that no teaching or suggestion has yet been identified regarding introducing a compressed gas as an annealing medium and annealing the polymeric optical element.

Applicants respectfully submit that dependent claims 2-3, 7 and 13 are allowable by virtue of their dependency on allowable independent claims 1 and 11, for at least the reasons set forth above. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Soane

Claims 4 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Soane also for the reasons noted at page 5 of the Office Action.

The Applicants incorporate the discussion provided above with respect to the teachings of Soane and maintain that no teaching or suggestion has yet been identified regarding introducing a compressed gas as an annealing medium and annealing the polymeric optical element.

Applicants respectfully submit that dependent claims 4 and 13 are allowable by virtue of their dependency on allowable independent claims 1 and 11, for at least the reasons set forth above. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-13 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

John A. Castellano, Reg. No. 35,094

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JAC/EGH